

AUG 13 2008

David E. Weigh, Clerk
Charlotte Division
ASW

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE:)	
J.A. JONES, INC.,)	Case No.: 03-33532
)	Chapter 11
)	
Debtor.)	JUDGMENT ENTERED ON AUG 13 2008
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THE LIQUIDATION COMMITTEE,)	Adversary Proceeding
)	No.: 05-3419
Plaintiff,)	
vs.)	
MARVIN L. FOWLER,)	
)	
Defendant.)	
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**ORDER RECOMMENDING WITHDRAWAL OF REFERENCE
FOR PURPOSES OF TRIAL**

THIS MATTER is before this Court for continued final pre-trial conference and it appearing as follows:

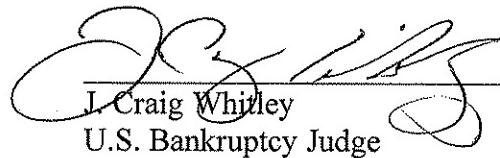
1. The Liquidation Committee on behalf of the Lockwood Greene Debtors has sued Marvin L. Fowler seeking to avoid pre-petition transfers of the Debtor's property under 11 U.S.C. § 547 and 548 and to recover the same under 11 U.S.C. § 550. The Liquidation Committee seeks recovery of \$187,215.07.

2. Fowler has demanded a jury trial. Pursuant to the Supreme Court's ruling in *Granfinanciera, S.A. v. Nordberg*, 492 U.S. 33, 109 S.Ct. 2782, 106 L.Ed.2d 26 (1989) the Defendant is entitled to a trial by jury. Both parties are in agreement that this jury trial should occur in the U.S. District Court.

3. Before seeking withdrawal of reference, the parties have attempted to settle the cause of action and these efforts have now failed.

ACCORDINGLY, the undersigned **RECOMMENDS** withdrawal of reference of the above referenced adversary proceeding pursuant to 28 U.S.C. § 157(d) for purposes of trial.

This 12th day of August 2008.



J. Craig Whitley
U.S. Bankruptcy Judge